

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SCOTT DOLEMBA,)	
on behalf of plaintiff and the class defined)	
below,)	
)	
Plaintiff,)	16 C 10651
)	
vs.)	Judge Wood
)	Magistrate Judge Valdez
FORA FINANCIAL, LLC, and)	
FORA FINANCIAL HOLDINGS, LLC,)	
both doing business as "FORA FINANCIAL",)	
)	
Defendants.)	

**JOINT MOTION FOR RULING ON ALLOWING
LATE CLAIMS AND FOR ENTRY OF A FINAL APPROVAL ORDER**

Plaintiff Scott Dolemba and Defendants Fora Financial, LLC and Fora Financial Holdings, LLC (collectively, the "Parties") respectfully request a ruling on the issue of whether the late claims are allowed as part of the proposed class settlement and for entry of a final approval order. In support thereof, the Parties state as follows:

1. On May 15, 2018, the Court held a hearing on final approval of the parties' proposed class settlement agreement. Following the hearing, the Court entered a minute order approving the class settlement. The Court "reserve[d] ruling on the acceptance of the [36] late claims." No other outstanding or unresolved issues were raised or discussed at the hearing or addressed in the Court's minute order. Plaintiff was given a date to file a supplemental brief on the nature of the deficiencies of the 36 late claims by May 22, 2018. The parties were also ordered to send a proposed order granting final approval of the parties' class settlement to the Court's email box within 24 hours. (*Dkt. No. 61*), which Plaintiff did the following day, May 16, 2018.

2. On May 22, 2018, plaintiff filed a supplemental statement in support of allowing late valid claims. (*Dkt. No. 62*) On May 24, 2018, defendants filed a response to plaintiff's supplement statement. (*Dkt. No. 63*)

3. On July 13, 2018, the parties sent a revised proposed final approval order to the court's email box.

4. Since submitting these orders via email, the parties have contacted chambers to confirm that the orders were received.

5. While the minute order, *Dkt. No. 61*, approves the class settlement, no distributions can be made to the class until the Court rules on whether late claims will be accepted.

6. Since the parties did not file a motion regarding the late claims and Local Rule 78.5 does not apply, the parties filed a motion to request a status on September 13, 2018 to determine if the Court needs any additional information to resolve the issue on inclusion of the late claims or any other matter affecting the final approval of the parties' proposed class settlement. (*Dkt. No. 65*)

7. At the status, the Court stated that no additional information was necessary to make a ruling and indicated that an order on this issue would be coming within a few days.

8. A revised final approval order was again submitted to the Court's proposed order email on September 21, 2018.

9. Since submitting the order via email, the parties have contacted chambers to confirm that the order was received.

10. The final approval hearing was approximately **6 months ago**. Counsel for the parties and the settlement administrator continue to receive calls and emails about the status of

the settlement. No monies can be distributed until this Court rules on whether the 36 late claims should be allowed.

11. The parties respectfully request that this Court rule on whether the 36 late claims are allowed and promptly enter a final approval order.

WHEREFORE, the parties respectfully request a ruling on the inclusion of the 36 late claims and the issuance of a final approval order.

Respectfully submitted,

s/ Heather Kolbus

Daniel A. Edelman
Heather Kolbus
EDELMAN, COMBS, LATTURNER
& GOODWIN, LLC
20 S. Clark Street, Suite 1500
Chicago, IL 60603
(312) 739-4200

s/ Lewis S. Wiener (w/ consent)

Lewis S. Wiener
EVERSHEDS SUTHERLAND (US) LLP
700 6th Street, N.W., Suite 700
Washington, D.C. 20001
(202) 383-0100

Michael L. Brooks
BOODELL & DOMANSKIS
One North Franklin, Suite 1200
Chicago, IL 60606
(312) 938-4070

CERTIFICATE OF SERVICE

I, Heather Kolbus, certify that on November 14, 2018, I caused a true and accurate copy of the foregoing document to be filed via the court's CM/ECF system which caused notice via email to be sent to the following:

Michael L. Brooks mbrooks@boodlaw.com
Boodell & Domanskis
One N. Franklin Street, Suite 1200
Chicago, IL 60606

Lewis S. Wiener lewis.wiener@eversheds-sutherland.com
Eversheds Sutherland (US) LLP
700 Sixth Street NW, Suite 700
Washington, DC 20001

s/ Heather Kolbus
Heather Kolbus

Daniel A. Edelman
Heather Kolbus
EDELMAN, COMBS, LATTURNER & GOODWIN, LLC
20 S. Clark Street, Suite 1500
Chicago, Illinois 60603
(312) 739-4200
(312) 419-0379 (FAX)